

MAYER BROWN

Mayer Brown LLP
1221 Avenue of the Americas
New York, NY 10020-1001
United States of America

T: +1 212 506 2500
F: +1 212 262 1910

mayerbrown.com

Glen A. Kopp
Partner

T: +1 212 506 2648
F: +1 212 849 5675
GKopp@mayerbrown.com

October 9, 2024

BY ECF AND FACSIMILE

The Honorable Paul G. Gardephe
United States District Judge
Thurgood Marshall
United States Courthouse
40 Foley Square
New York, NY 10007

Re: United States v. Rodriguez, 22 CR 591 (PGG)

Dear Judge Gardephe:

We write on behalf of our client, Emilio Rodriguez, jointly with the Government, to respectfully request that Your Honor adjourn the October 11, 2024 Violation of Supervised Release conference to a date convenient to the Court the week of December 2, 2024. We have conferred with counsel for the Government and Probation, who concur with the requested adjournment.

By way of background, on October 26, 2023, the Probation Department issued a violation report and request for summons in connection with the defendant's violations of the conditions of his supervised release. The defendant appeared before the Court on November 7, 2023. The specifications against the defendant, as set forth in the October 26, 2023 violation report, are based primarily on: (1) pending state charges in the Bronx in connection with an alleged assault and attempted robbery committed by the defendant on August 23, 2023 (the "Bronx State Case"); and (2) an outstanding warrant for the defendant's arrest in Hillsborough, New Jersey, in connection with allegations that the defendant violated an order of protection (the "New Jersey Warrant").

Mr. Rodriguez was sentenced to time served and paid a \$227 fine in resolution of the New Jersey Warrant. While several of the pending charges that underly the Bronx State Case were dismissed in April 2024, several of the charges, which are the basis of the specifications against the defendant, remain pending. Following court appearances on July 8 and August 20, 2024 in the Bronx State Case, Mr. Rodriguez's September 30 hearing in the Bronx State Case was adjourned to October 24, 2024.

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To date, Mr. Rodriguez has remained in compliance with his original conditions of supervised release and the modified conditions Your Honor imposed on November 7, 2023.¹ He has also been diligent in appearing for his court appearances in the Bronx State Case and in communicating with Officer Francisco.

Mr. Rodriguez's supervised release is scheduled to terminate on or about October 21, 2024, likely before the Bronx State Case is resolved. Therefore, the Probation Officer and the Government would like to extend Mr. Rodriguez's supervision until the pending specifications associated with the Bronx State Case are resolved. Mr. Rodriguez consents to such an extension, but respectfully requests that it not extend beyond December 15, 2024, whichever comes first. Should there not be a resolution of the specifications by December 15, 2024, we can reevaluate the situation at that time.

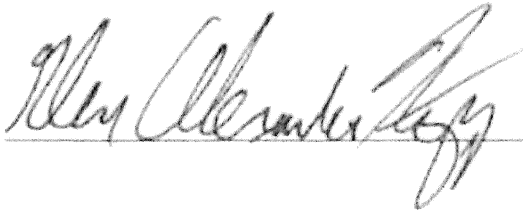
To allow for the resolution of the Bronx State Case, jointly with counsel for the Government, we respectfully request an adjournment of the October 11, 2024 conference to a date convenient to the Court in December 2024. Further, jointly with counsel for the Government, we respectfully request that Mr. Rodriguez's supervision under the current conditions be extended to either the resolution of his specifications or December 15, 2024, whichever is earlier.

¹ In July 2024, Mr. Rodriguez was briefly taken into custody in the Bronx when he was found in the driver's seat of a parked car without a license or proper paperwork. Mr. Rodriguez intends to plead not guilty to the charge when he is scheduled to appear in court in September.

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Respectfully submitted,




Glen A. Kopp
Partner

cc: Georgia Kostopoulos, Esq. (by email)

*The hearing is adjourned to December 12, 2024, at 3:00 p.m. The requested
release term is extended by consent as set forth
in this letter.*

So Ordered:


PAUL G. GARDEPHE
UNITED STATES DISTRICT JUDGE

October 9, 2024